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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MALIBU MEDIA, LLC,

Plaintiff,

v.

JOHN DOE subscriber assigned IP address
173.61.73.67,

Defendant.

Civil Action No. 2:14-cv-03859-WJM-MF

**PLAINTIFF'S FIRST MOTION FOR EXTENSION OF TIME WITHIN
WHICH IT HAS TO EFFECTUATE SERVICE ON JOHN DOE DEFENDANT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC (“Plaintiff”), moves for entry of an order extending the time within which to effectuate service on John Doe Defendant, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant’s true identity is known by their Internet service provider (“ISP”).

2. On September 2, 2014, Plaintiff was granted leave to serve a third party subpoena on Defendant’s ISP, Verizon Internet Services, to obtain the Defendant’s identifying information

[CM/ECF 7]. Plaintiff issued the subpoena on September 10, 2014, and is expecting to receive the ISP's response on October 30, 2014.

3. Pursuant to this Rule 4(m), Plaintiff is required to effectuate service on Defendant by today, October 15, 2014. As Plaintiff does not yet know Defendant's true identity, it is unable to complete service on them by the current deadline.

4. Procedurally, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended by until at least thirty (30) days after the expected response date, or until November 30, 2014.

WHEREFORE, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended until at least thirty (30) days after the expected response date or until November 30, 2014. A proposed order is attached for the Court's convenience.

Dated: October 15, 2014

Respectfully submitted,

By: /s/ Patrick J. Cerillo
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CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Patrick J. Cerillo